

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:)	Group Art Unit: 3623
)	
FLOCKHART et al.)	Confirmation No.: 2014
)	
Serial No.: 10/673,115)	Examiner: TARAE, CATHERINE MICHELLE
)	
Filed: September 26, 2003)	<u>SUPPLEMENTAL INFORMATION</u>
)	<u>DISCLOSURE STATEMENT</u>
Atty. File No.: 4366-108)	
)	Electronically Submitted
For: "METHOD AND APPARATUS)	
FOR BUSINESS TIME)	
COMPUTATION IN A)	
RESOURCE ALLOCATION)	
SYSTEM")	

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The references cited on attached Form PTO-SB08 are being called to the attention of the Examiner.

☒ Copies of the cited non-patent and/or foreign references are enclosed herewith.

☐ Copies of the cited U.S. patents and/or patent applications are enclosed herewith.

☒ Copies of the cited U.S. patents/patent application publications are not enclosed in accordance with 37 C.F.R. § 1.98(a).

☐ Copies of the cited references are not enclosed, in accordance with 37 C.F.R. § 1.98(d), because the references were cited by or submitted to the U.S. Patent and Trademark Office in prior application Serial No. _____ filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120.

☒ To the best of applicants' belief, the pertinence of the foreign-language references are believed to be summarized in the attached English abstracts and in the figures, although applicants do not necessarily vouch for the accuracy of the translation.

☒ Examiner's attention is drawn to the following co-pending applications, copies of which have been or are being submitted:

Serial No. 10/946,638 filed 09/20/04;

Serial No. 11/069,739 filed 03/01/05; and

Serial No. 11/064,367 filed 02/22/05

☐ Other: _____

Submission of the above information is not intended as an admission that any item is citable under the statutes or rules to support a rejection, that any item disclosed represents analogous art, or that those skilled in the art would refer to or recognize the pertinence of any reference without the benefit of hindsight, nor should an inference be drawn as to the pertinence of the references based on the order in which they are presented. Submission of this statement should not be taken as an indication that a search has been conducted, or that no better art exists.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references made of record therein.

FEES

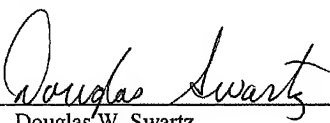
<input checked="" type="checkbox"/>	<p>37 CFR 1.97(b). No fee is believed due in connection with this submission, because the information disclosure statement submitted herewith satisfies one of the following conditions ("X" indicates satisfaction):</p> <ul style="list-style-type: none"><input type="checkbox"/> Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d), or<input type="checkbox"/> Within three months of the date of entry into the national stage of an international application as set forth in 37 CFR 1.491 or<input checked="" type="checkbox"/> Before the mailing date of a first Office Action on the merits, or<input type="checkbox"/> Before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114. <p>Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.</p>
<input type="checkbox"/>	<p>37 CFR 1.97(e): The information disclosure statement transmitted herewith is being filed after all the above conditions (37 CFR 1.97(b)), but before the mailing date of one of the following conditions:</p> <ul style="list-style-type: none">(1) a final action under 37 C.F.R. 1.113 or(2) a notice of allowance under 37 C.F.R. 1.311, or(3) an action that otherwise closes prosecution in the application. <p>This Information Disclosure Statement is accompanied by:</p> <ul style="list-style-type: none"><input type="checkbox"/> A Certification (below) as specified by 37 C.F.R. 1.97(e). Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970. <p style="text-align: center;">OR</p> <ul style="list-style-type: none"><input type="checkbox"/> Please charge Deposit Account 19-1970 in the amount of \$180.00 for the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement. Please credit any overpayment or charge any underpayment to Deposit Account 19-1970.

<input type="checkbox"/>	<p>37 CFR 1.97(d): This Information Disclosure Statement is being submitted after the period specified in 37 CFR 1.97(c).</p> <p><input type="checkbox"/> This information Disclosure Statement includes a Certification (below) as specified by 37 C.F.R. 1.97(e) AND</p> <p><input type="checkbox"/> Applicants hereby requests consideration of the reference(s) disclosed herein. Please charge Deposit Account 19-1970 in the amount of \$180.00 under 37 C.F.R. 1.17(p). Please credit any overpayment or charge any underpayment to Deposit Account 19-1970. Election to pay the fee should not be taken as an indication that applicant(s) cannot execute a certification.</p>
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<p>Certification (37 C.F.R. 1.97(e)) (Applicable only if checked)</p> <p><input type="checkbox"/> The undersigned certifies that:</p> <p style="margin-left: 40px;"><input type="checkbox"/> Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(1).</p> <p style="margin-left: 80px;"><input type="checkbox"/> A copy of the communication from the foreign patent office is enclosed.</p> <p style="text-align: center;">OR</p> <p style="margin-left: 40px;"><input type="checkbox"/> No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(2).</p>
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Respectfully submitted,

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Date: Dec 14, 2005

Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	10/673,115
				Filing Date	09-26-2003
				First Named Inventor	Flockhart
				Art Unit	3623
				Examiner Name	TARAE, CATHERINE MICHELLE
Sheet	1	of	7	Attorney Docket Number	4366-108

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-kind Code ^{2 (if known)}	Publication Date MM-DD-YYYY	Name of Patentee of Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	4,163,124	07/31/97	Jolissaint	
	2	4,389,400	06/21/83	Ho	
	3	4,567,323	01/28/86	Lottes et al.	
	4	4,737,983	04/12/93	Frauenthal et al.	
	5	4,797,911	01/10/89	Szlam et al.	
	6	4,894,857	01/16/90	Szlam et al.	
	7	5,001,710	03/19/91	Gawrys et al.	
	8	5,097,528	03/17/92	Gursahaney et al.	
	9	5,101,425	03/31/92	Darland	
	10	5,155,761	10/13/92	Hammond	
	11	5,164,983	11/17/92	Brown et al.	
	12	5,210,789	05/11/93	Jeffus et al.	
	13	5,274,700	12/28/93	Gechter et al.	
	14	5,278,898	01/11/94	Cambray et al.	
	15	5,291,550	03/01/94	Levy et al.	
	16	5,299,260	03/29/94	Shaio	
	17	5,309,513	05/03/94	Rose	
	18	5,335,268	8/2/1994	Kelly Jr. et al.	
	19	5,355,269	10/11/94	Clausen	
	20	5,390,243	02/14/95	Casselman et al.	
	21	5,436,965	07/25/95	Grossman et al.	
	22	5,444,774	08/06/96	Friedes	
	23	5,469,503	11/21/95	Butensky et al.	
	24	5,469,504	11/21/89	Blaha	
	25	5,473,773	12/5/1995	Aman et al.	
	26	5,479,497	12/26/95	Kovarik	
	27	5,500,795	03/19/96	Powers et al.	
	28	5,504,894	04/02/96	Ferguson et al.	
	29	5,506,898	04/09/96	Constantini et al	
	30	5,530,744	06/25/96	Charalambous et al.	
	31	5,537,470	07/16/96	Lee	
	32	5,537,542	07/16/96	Eilert et al.	
	33	5,544,232	08/06/96	Baker et al.	

Examiner Signature	Date Considered
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	34	5,546,452	08/13/96	Andrews et al.	
	35	5,592,378	01/07/97	Cameron et al.	
	36	5,592,542	1/7/1997	Honda et al.	
	37	5,594,726	01/14/97	Thompson et al.	
	38	5,606,361	02/25/97	Davidsohn et al.	
	39	5,611,076	3/11/1997	Durflinger et al.	
	40	5,627,884	05/06/97	Williams et al.	
	41	5,642,515	6/24/1997	Jones et al.	
	42	5,684,874	11/4/1997	Flockhart et al	
	43	5,684,964	11/4/1997	Powers et al.	
	44	5,689,698	11/18/97	Jones et al.	
	45	5,703,943	12/30/97	Otto	
	46	5,713,014	01/27/98	Durflinger et al.	
	47	5,724,092	03/03/98	Davidsohn et al.	
	48	5,742,675	04/21/98	Kilander et al.	
	49	5,748,468	05/05/98	Notenboom et al.	
	50	5,749,079	05/05/98	Yong et al.	
	51	5,751,707	05/12/98	Voit et al.	
	52	5,752,027	05/12/98	Familiar	
	53	5,754,776	05/19/98	Hales, et al	
	54	5,754,841	05/19/98	Carino, Jr.	
	55	5,757,904	05/26/98	Anderson	
	56	5,790,677	08/04/98	Fox et al.	
	57	5,794,250	08/11/98	Carino, Jr. et al.	
	58	5,796,393	08/18/98	MacNaughton et al.	
	59	5,802,282	09/01/98	Hales et al	
	60	5,818,907	10/06/98	Maloney et al.	
	61	5,838,968	11/17/98	Culbert	
	62	5,839,117	11/17/98	Cameron et al.	
	63	5,875,437	02/23/99	Atkins	
	64	5,880,720	03/09/99	Iwafune et al.	
	65	5,881,238	3/9/1999	Aman et al.	
	66	5,884,032	03/16/99	Bateman et al.	
	67	5,889,956	3/30/1999	Hauser et al.	
	68	5,897,622	04/27/99	Blinn et al.	
	69	5,903,641	05/11/99	Tonisson	
	70	5,915,012	6/22/1999	Miloslavsky	
	71	5,926,538	07/20/99	Deryugin et al.	

Examiner Signature		Date Considered	
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				Examiner Name	TARAE, CATHERINE MICHELLE
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	72	5,930,786	07/27/99	Carino, Jr. et al.	
	73	5,937,051	08/10/99	Hurd et al.	
	74	5,937,402	08/10/99	Pandilt	
	75	5,940,496	08/17/99	Gisby et al.	
	76	5,943,416	08/24/99	Gisby	
	77	5,948,065	09/07/99	Eilert et al.	
	78	5,960,073	09/28/99	Kikinis et al.	
	79	5,963,635	10/05/99	Szlam et al.	
	80	5,963,911	10/05/99	Walker et al.	
	81	5,970,132	10/19/1999	Brady	
	82	5,974,135	10/26/99	Breneman et al.	
	83	5,974,462	10/26/99	Aman et al.	
	84	5,987,117	11/16/1999	McNeil et al.	
	85	5,991,392	11/23/99	Miloslavsky	
	86	5,996,013	11/30/99	Delp et al.	
	87	5,999,963	12/07/99	Bruno et al.	
	88	6,000,832	12/14/99	Franklin et al.	
	89	6,011,844	1/4/2000	Uppaluru et al.	
	90	6,038,293	03/14/00	Mcnerney et al.	
	91	6,044,144	3/28/2000	Becker et al.	
	92	6,044,205	03/28/00	Reed et al.	
	93	6,044,355	3/28/2000	Crockett et al.	
	94	6,052,723	04/18/00	Ginn	
	95	6,055,308	04/25/00	Miloslavsky et al.	
	96	6,064,730	05/16/00	Ginsberg	
	97	6,084,954	07/04/00	Harless et al.	
	98	6,115,462	9/5/2000	Servi et al.	
	99	6,151,571	11/21/00	Pertrushin	
	100	6,154,769	11/28/00	Cherkasova et al.	
	101	6,175,564	1/16/2001	Miloslavsky et al.	
	102	6,178,441	01/23/01	Elnozahy	
	103	6,185,292	02/06/01	Miloslavsky	
	104	6,215,865	4/10/2001	McCalmont	
	105	6,226,377	05/01/01	Donaghue, Jr.	
	106	6,229,819	05/08/01	Darland et al.	
	107	6,230,183	05/08/01	Yocom et al.	
	108	6,233,333	05/15/01	Dezonmo	
	109	6,240,471	05/29/01	Eastwick	

Examiner Signature	Date Considered
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				Examiner Name	TARAE, CATHERINE MICHELLE
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	110	6,259,969	07/10/01	Tackett et al.	
	111	6,263,359	07/17/01	Fong et al.	
	112	6,272,544	08/07/01	Mullen	
	113	6,275,806	08/14/01	Pertrushin	
	114	6,275,812	08/14/01	Haq et al.	
	115	6,275,991	08/14/01	Erlin	
	116	6,278,777	08/21/01	Morley et al.	
	117	6,292,550	09/18/01	Burritt	
	118	6,353,810	03/05/02	Petrushin	
	119	6,356,632	3/12/2002	Foster et al.	
	120	6,389,028	05/14/02	Bondarenko et al.	
	121	6,389,132	05/14/02	Price et al.	
	122	6,389,400	05/14/02	Bushey et al.	
	123	6,424,709	7/23/2002	Doyle et al.	
	124	6,426,950	07/30/02	Mistry	
	125	6,427,137	07/30/02	Petrushin	
	126	6,430,282	08/06/02	Bannister et al.	
	127	6,434,230	08/13/02	Gabriel	
	128	6,449,356	09/10/02	Dezonno	
	129	6,449,358	09/10/02	Anisimov et al.	
	130	6,449,646	09/10/02	Sikora et al.	
	131	6,463,148	10/08/02	Brady	
	132	6,463,415	10/08/02	St. John	
	133	6,480,826	11/12/02	Pertrushin	
	134	6,490,350	12/3/2002	McDuff et al.	
	135	6,560,649	5/6/2003	Mullen et al.	
	136	6,560,330	05/06/03	Gabriel	
	137	6,560,649	05/06/03	Mullen et al.	
	138	6,560,707	5/6/2003	Curtis et al.	
	139	6,597,685	07/22/03	Miloslavsky et al.	
	140	6,650,748	11/18/2003	Edwards et al	
	141	6,597,685	07/22/03	Miloslavsky et al	
	142	6,704,409	03/09/04	Dilip et al.	
	143	6,772,202	08/03/04	Wright	
	144	7,035,808	04/25/06	Ford	
	145	2001/0056349	12/27/2001	St. John	
	146	2002/0002460	01/03/02	Pertrushin	
	147	2002/0002464	01/30/02	Pertrushin	
Examiner Signature				Date Considered	

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				Examiner Name	TARAE, CATHERINE MICHELLE
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	148	2002/0010587	01/24/02	Petrushin	
	149	2002-0194002	12/19/02	Petrushin	
	150	2005-0071212	03/31/05	Flockhart et al.	
	151	2006-0015388	01/19/06	Flockhart et al.	
	152	10/946,638		Flockhart et al.	
	153	11/069,739		Flockhart et al.	
	154	11/064,367		Flockhart et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ ; Number ⁴ ; Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	155	CA 2143198	01/19/95	Telefonaktiebolaget LM Ericsson		
	156	CA 2174762	03/07/96	Motorola, Inc.		
	157	EP 0 501 189 A2	09/02/92	International Business Machines Corporation		
	158	EP 0 740 450 A2	10/30/96	IBM Corp.		
	159	EP 0 772 335 A2	05/07/97	Lucent Technologies Inc.		
	160	EP 0 863 651 A2	09/09/98	Lucent Technologies Inc.		
	161	EP 0 829 996 A2	03/18/98	AT&T Corp.		
	162	EP 0 855 826 A2	09/23/98	Lucent Techs. Inc.		
	163	EP 0 866 407 A1	09/23/98	AT&T Corp.		
	164	EP 0 899 673 A2	3/3/1999	AT&T Corp.		

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	165	EP 0 998 108 A1	5/3/2000	Lucent Techs. Inc.		
	166	EP 1 091 307 A2	4/11/2001	Lucent Techs. Inc.		
	167	EP 1 150 236 A2	10/31/2001	Avaya Tech. Corp.		
	168	GB 2 290 192 A	12/13/1995	Siemens Rolm Communications Inc.		
	169	GB 2 273 418	6/15/1994	Rockwell International Corporation		
	170	WO 98/56207	12/10/1998	Telefonaktiebolaget LM Ericsson		
	171	WO 96/07141	3/7/1996	Motorola, Inc.		
	172	WO 01/80540 A1	10/25/01	Genesys Telecom. Labs., Inc.		
	173	WO 97/28635	08/07/97	Genesys Telecom. Lab.		

OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)		
Examiner Initials*	Cite No. ¹	
	174	"Product Features," Guide to Call Center Automation, Brock Control Systems, Inc., Activity Managers Series™, Section 5 - Company B120, p. 59, 1992.
	175	"Product Features," Guide to Call Center Automation, CRC Information Systems, Inc., Tel-ATHENA, Section 5 - Company C520, p. 95, 1992.
	176	Dawson, "NPRI's Powerguide, Software Overview" Call Center Magazine (Jun. 1993), p. 85.
	177	"Applications, NPRI's Predictive Dialing Package," Computer Technology (Fall 1993), p. 86.
	178	"Call Center Software You Can't Outgrow," Telemarketing® (Jul. 1993), p. 105.
	179	"VAST™, Voicelink Application Software for Teleservicing®," System Manager User's Guide, Digital Systems (1994), pp. ii, vii-ix, 1-2, 2-41 through 2-77.

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	180	GEOTEL Communications Corporation Web site printout entitled "Intelligent CallRouter" Optimizing the Interaction Between Customers and Answering Resources." 6 pages
	181	Examiner's Refusal Decision dated July 4th, 2005 in Japanese Patent App. No. 2000-34266
	182	Examiner's Refusal Decision for Japanese Patent Application No. 2000-34267 dated March 9, 2005 with translation, 4 pages.
	183	Avaya, Inc., "Better Implementation of IP in Large Networks," Avaya, Inc. 2002, 14 pages
	184	"eGain's Commerce 2000 Platform Sets New Standard for eCommerce Customer Communications," Business Wire (Nov. 15, 1999).
	185	"When Talk Isn't Cheap," Sm@rt Reseller, v. 3, n. 13 (Apr. 3, 2000), p. 50.
	186	Doo-Hyun Kim et al. "Collaborative Multimedia Middleware Architecture and Advanced Internet Call Center," Proceedings at the International Conference on Information Networking (Jan. 31, 2001), pp. 246-50.
	187	E. Noth et al., "Research Issues for the Next Generation Spoken," University of Erlangen-Nuremberg, Bavarian Research Centre for Knowledge-Based Systems, at http://www5.informatik.uni-erlangen.de/literature/psdir/1999/Noeth99:RIF.ps.gz , 8 pages.
	188	John H.L. Hansen et al., "Foreign Accent Classification Using Source Generator Based Prosodic Features," Robust Speech Processing Laboratory, Duke University Department of Electrical Engineering, (undated), pp. 1-4.
	189	L.F. Lamel and J.L. Gauvain, "Language Identification Using Phone-Based Acoustic Likelihoods," ICASSP-94, 4 pages.
	190	Levent M. Arslan et al., "Language Accent Classification in American English," Robust Speech Processing Laboratory, Duke University Department of Electrical Engineering, Technical Report RSPL-96-7, revised 1/29/96, pp. 1-16.
	191	Levent M. Arslan, "Foreign Accent Classification in American English," Dissertation submitted to Department of Electrical Computer Engineering, Graduate School of Duke University, (1996), pp. 1-201.
	192	MIT Project Oxygen, "Pervasive, Human-Centered Computing - Oxygen," MIT Laboratory for Computer Science, (Jun. 2000), pp. 1-15.
	193	Presentation by Victor Zue, "The MIT Oxygen Project," MIT Laboratory for Computer Science, Cambridge, MA (April 25-26, 2000), 9 pages.
	194	European Search Report dated December 22, 2004 for European Patent Application No. EP04255253.9 (4366-108-EP).

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